

TWO DECISIONS COVERING PROHIBITION ENFORCEMENT

Supreme Court, in an Opinion by Chief Justice Taft, Holds

That Violators of the Volstead Act Are Liable to Double Punishment, Conviction in State Courts Not Giving Immunity From Federal Prosecution for the Same Offense—Each State May Shape Different Measures to Enforce Prohibition, Not in Conflict With Federal Prohibition Law—Second Decision Holds That Taxes Cannot be Imposed on Liquor.

Washington, Dec. 11.—Two cases considered by the government of major importance in the enforcement of national prohibition laws were argued before the court today. In one of them, coming from the state of Washington, the government scored a sweeping victory, the supreme court holding that the federal government may prosecute and punish the same unlawful act in the manufacturer's possession, transportation or sale of intoxicating liquors. In the other case, from the state of Arizona, the government lost its contention that in the enforcement of national prohibition an executive officer can impose a fine and imprisonment on a person sentenced imposed by those actions the court as intended to negative any possible inference that in vesting the national government with the power of punishing the same state status offense would be excluded. Under the 1933 amendment, a state was left free, the court held, to enact prohibition laws applying to all transactions within its limits. The court also held that the new act, the court added, which were prohibited by the amendment, but all prior state laws, not inconsistent with the amendment, remained in force.

Referring to the contention by the defendants that they could not be placed in double jeopardy, the court explained that the new act was not intended to be regarded as meaning the fifth amendment

of the revised statute which remain unrepelled by the Volstead act and which became law while the manufacture and interstate trafficking liquor was not prohibited.

The United States district court for western Washington demitted a federal indictment charging that John J. Barto and others with manufacturing, transporting and possessing intoxicating liquors on the ground that they had been convicted of the same offense for the same offense. In reversing this action today the supreme court held that "in the absence of special provision by congress, conduct prohibited by the act under one statute may for making, transporting and selling in

the constitution referred to "a second prosecution under to the authority of the federal government for the same offense under the same statute."

"An act denounced as a crime by both national and state sovereignties, if the court said, "is an offense against the laws of both, and may be punished by each."

If such a construction did not apply, the court stated, it would be easy to multiply the offenses and to enable the courts to plead guilty. If by so doing they could obtain immunity from federal prosecution for the same act.

The court also held that the corporation of San Francisco obtained a permit to withdraw from bonded warehouses intoxicating

The court stated in an opinion by Chief Justice Taft, was to establish prohibition in every part of the United States and affecting transactions which are essentially local or intrastate, as well as

The supreme court, in an opinion by Justice McKenna, explained that the court had held in a case decided in June, that a collector of internal revenue could not punish by fine and penalty for an alleged criminal offense without giving information, indictment or trial by jury.

The function of a tax court is "to provide for the support of the government, the function of a penal statute involves the idea of punishment for infringement of the law." The court noted that the court continued, that penalties for crime should be enforced through the secret findings and summary action of executive officials.

<p>action in distinct jurisdictions." The declaration that the states should have "concurrent power" was defined by</p>	<p>The guarantee of due process of law and trial by jury, the justice stated, is not to be forgotten or disregarded.</p>
<p>HEARING IN GROSZ DIVORCE SUIT HAS BEEN COMPLETED</p>	<p>MRS. BRUNEN ON TRIAL FOR MURDER OF HUSBAND</p>
<p>Portland Me., Dec. 11.—Hearing in</p>	<p>Mount Holly, N. J., Dec. 11.—</p>

the suit for divorce brought by Madeleine Masters' Group against Niels G. Danish diplomat, which opened December 3, was concluded late today in superior court judge Laurens M. Sanderson reserved decision, stating that the case would be delayed owing to the importance of the case and the necessity of reading the voluminous trial of Mrs. Doris Brunen, and brother, Harry C. Mohr, charged with the murder of John T. Brunen, city owner, got a rapid start today. The jury having been selected today, attorneys representing Jonathan Kelsey had outlined his case and named 20 members of witnesses for the state to be testified when adjournment for the

was taken. Eight of the jurors farmers. All twelve are men.

In his address to the jury, Prosecutor Kelley declared that the "author" of the most brutal and carefully plotted murder that ever conceived." With Charles M. Power said, they had planned the shooting in order to get control of Brundage.

Mrs. Gron's letters, according to Attorney Morey showed that she could not live without her husband. "We see the heights from which she dropped into the ashes of her former existence," the attorney added. Dealing with Mrs. Gron's allegation that her husband had been "drunk" on the night of the shooting, Attorney Morey said, "I am not a lawyer, I am a human being."

husband failed to support her, Attorney Morey said that Gron turned over to his wife from 1911 to 1920 more than \$250,000.

Attacking Gron, whom he referred to as "a Danish yeoman," Attorney Connolly said the diplomat had come into the marriage "with his eyes wide open and seeing his bread and butter ahead of him."

Hazel Brunen, eighteen-year-old

of him. "It only goes to show that you cannot make a silk purse out of a sow's ear, despite education," the attorney went on. "This man is a contemptible ood, and no prayers from Bishop Lloyd or half-baked ministers can make him otherwise. Even in this court he has combed back his hair and combed his teeth. He is a scoundrel, presently he is a scoundrel, and he will remain a scoundrel until he is hanged for the murder of the slain man, will be witness against her step-mother. He lived with Mrs. Brunen until the day she was arrested. Mrs. Elizabeth James of Chicago, Brunen's 'sister,' said, 'I was in the room with the couple when Brunen, owner of the "Mighty Dan Shows," a circus named after his father, was killed March 16, with a shotgun

The reference to the clergy was occasioned by evidence as to Gron's character given by clergymen at the trial.

Witness August, 320, Gron had sent him sum \$100 and "billions of kisses." Answer: Connelly said,

"This case is his outstanding life

work, he concluded, "It is not only a case for divorce, but for beating a man until he begs for mercy."

**PROBABLY ARMY DISASTER
HELD ON MURDER CHARGE**

Boston, Feb. 11.—Barbara Postrel, arrested last week on a charge of murdering a fellow student, is expected to be tried today.

It is estimated that 30,000 patients, mostly students and school leavers, are present in the hospital, many, but beyond polling the new incident with snow balls the demonstration accomplished nothing.

President Nixon's decision to withdraw U.S. troops from Vietnam was a major step toward ending the war. The decision was announced on January 27, 1969, in a speech to Congress. Nixon said that the United States would continue to fight the war, but that the number of troops would be reduced. He also said that the United States would continue to support the South Vietnamese government.

**EDITOR: RON DAY FOUND
NOT GUILTY OF MURDER**

Durango, Colo., Dec. 11.—Ron Day, editor of the Durango Democrat today was found not guilty of the charge of murder in connection with the death of

William A. Brown, Jr. was at the
 10-10-68 Bureau in April. The very
 me- was returned after it failed to
 been taken. One hundred persons suffered
 one inhaler.